

## Senator Harkin: Making Equal Rights for Disabled Americans a Reality

Senator Tom Harkin is the leading advocate for disability rights in Congress. He was the Senate author of the landmark *Americans with Disabilities Act* (ADA) in 1990. In addition to negotiating and passing the ADA, he was responsible for numerous pieces of legislation that embedded the goals of the ADA throughout American policy in areas ranging from transportation, housing, education, and health care. His commitment to fighting for equal rights for all Americans no matter their ability meant that people with disabilities were included when legislation was being drafted and that these individuals were part of the decision making process when laws were being implemented. His work ensured that “nothing about us without us” was not only a phrase, but also a principle by which disability policy was executed.

Informed by his older brother Frank, who was deaf and whom he greatly admired, Harkin entered the Senate as a disability advocate ready to tackle the civil rights issue of equality for people with disabilities. As a child, Harkin watched as Frank was sent hundreds of miles away from his family to attend the Iowa School for the Deaf. Dismayed by his brother’s removal from his community, Harkin has pledged his career to raising awareness and increasing opportunities for people with disabilities.

Still a first-term Senator, on July 26, 1990, President George H.W. Bush signed into law the Harkin-authored *Americans with Disabilities Act* (ADA), forever changing how the country viewed and treated people with disabilities. As the primary author of the ADA and the subsequent ADA Amendments Act, **Harkin crafted the four guiding goals of disability civil rights legislation: equal opportunity, full participation, independent living and economic self-sufficiency.** These two historic pieces of legislation outlawed workplace discrimination against people with disabilities, assured their access to housing and accommodations in public places like restaurants, office buildings, entertainment venues, and movie theaters, and required accessible streets and walkways, transportation, and communications. Today, the ADA remains the “emancipation proclamation” for people with disabilities.

In 1999, the Supreme Court in *Olmstead v. L.C.*, held that individuals with disabilities be integrated into the community rather than warehoused in nursing homes and other institutions as required by the ADA. Since that ruling, Harkin has worked to provide the tools needed to fully implement that decision in areas ranging from education, job training, health care, and telecommunications. His work has helped thousands of people with disabilities to live independently and participate in the workforce.

As a co-sponsor of the 1997 and 2004 reauthorizations of the *Individuals with Disabilities Education Act* (IDEA), Harkin led efforts to ensure that children with disabilities have access to high-quality education and job training to help them live independently and participate in their communities. He also spearheaded the effort to make sure that young people with intellectual and developmental disabilities have the opportunity to participate in post-secondary education. To expand on IDEA, Harkin included the Transition and Postsecondary Programs for Students with Intellectual Disabilities program in the 2008 reauthorization of the *Higher Education Opportunity Act*. The provision promotes community college, four-year college, and post-secondary certification program participation of young people who rarely had opportunities for education after their IDEA eligibility.

The passage of the ADA has opened doors and created opportunities for thousands of Americans, however, employment for people with disabilities has remained a struggle in the fight for equal inclusion. In July 2014, President Obama signed the reauthorization of the *Workforce Investment*

*Act* (WIA) into law. In a multi-year effort, Harkin led the bipartisan, bicameral WIA reauthorization that dramatically improves employment training and opportunities for people with disabilities. In addition, Harkin spearheaded the effort to make important and long-overdue updates to the *Vocational Rehabilitation Act*, included as part of WIA. The Vocational Rehabilitation Act emphasizes competitive integrated employment as the first and best choice for people with disabilities, stemming the flow of young people into segregated employment by requiring that they be given experience in integrated settings, and requires state Vocational Rehabilitation programs to work with individuals to develop an individual employment plan and support them in integrated work settings.

Over the years, Harkin has worked to include provisions in current legislation that support the integration of people with disabilities. Harkin played a key role in crafting the historic health care law, the *Affordable Care Act*, including authoring the Community First Choice (CFC) Option, a measure designed to combat the “institutional bias” of Medicaid by helping states create programs that help people with disabilities with the activities of daily living and help them to lead independent lives, have jobs and participate in the community. Through the CFC and many other laws, Harkin has consistently worked to create opportunities for people with disabilities to live in their communities and other inclusive settings instead of nursing homes or other institutions.

Once again inspired by Frank, Harkin wrote the 1988 bill that established the National Institute on Deafness and Communications Disorders at the National Institutes of Health (NIH) to focus on research and supports for those who are deaf and hard of hearing. The foundation of the Institute has greatly expanded research on deafness and hearing loss, including advancing stem cell research to address hearing loss, improving cochlear implants, and expanding newborn hearing screening technology.

In his ongoing effort to make all elements of American society available to people with disabilities, Harkin has worked extensively to expand telecommunication services and help connect individuals across the country with their communities. In 1990, Harkin authored the *Television Decoder Circuitry Act*, legislation that requires all TV sets to be equipped with an electronic chip providing closed captioning. The law made captioning a mainstay in American households, restaurants, and bars and has helped millions of Americans with hearing loss enjoy television.

Harkin’s efforts to promote opportunities and advance the quality of life for people with disabilities reaches across international borders. These efforts include leading initiatives to ensure that people with disabilities are included in emergency support and rebuilding efforts of nations struck by disaster, including Haiti and Indonesia. Harkin has also championed efforts to provide international leadership in disability policy by creating special Disability Advisor positions at the U.S. State Department and U.S. Agency for International Development (USAID) and requiring that overseas projects funded by USAID are accessible to people with disabilities. As the Senate leader on policy issues impacting people with disabilities, Harkin continues to be a tireless champion for the ratification of the United Nations Convention on the Rights of People with Disabilities (CRPD). The CRPD builds on the U.S. experience implementing the ADA and promotes equal opportunity and full participation for all people with disabilities in the lives of their communities around the world.

As a result of Harkin’s extensive work to ensure the civil rights of people with disabilities, our nation is both more inclusive and more understanding of those who are different. Harkin’s contributions have helped to make American a more equal, just, and fair society for all.